

APPENDIX E

Scoping Issues

A planning issue is a “concern or controversy about existing and potential land and resource allocations, levels of resource use, production, and related management actions.” An issue is a subject of interest or concern to the public or a particular group. This usually means that one or more individuals or groups are interested in a resource or land use on public land, that each may have different values for the resource, and that there are different ways (opportunities or alternatives) to resolve the issue. Issues may be identified by local, state or national needs or may reflect conditions specific to the Monument. Issue identification is an ongoing process. Identified issues may change throughout the planning process as new concerns are identified and others resolved.

Management concerns are issues that can be resolved by the BLM or another agency. While some concerns overlap issues, a management concern is generally more important to an individual or a few individuals, as opposed to a planning issue, which has a more widespread point of interest. Addressing management concerns in the Monument Resource Management Plan (RMP) helps ensure a comprehensive examination of BLM’s land use management. Management concerns will be modified as the planning process continues; however, they will usually not be addressed in an RMP as thoroughly as an Issue.

Preliminary issues and management concerns were identified in the Preparation Plan for the Monument RMP (February 2002). These early issues were identified by the BLM and other agencies at meetings, and/or were brought up by individuals and groups by way of phone calls, emails, letters, and past meetings concerning the proposed monument designation. They represented the BLM’s expectations (prior to scoping) about what concerns or problems exist with current management. These preliminary issues were displayed during the scoping open houses and included in the June 2002 Newsletter.

The preliminary issues were then modified based on the scoping comments. Scoping also identified a new issue: economic and social conditions (Scoping Report 2002 and January 2003 Newsletter).

Issues Addressed

The major issues addressed in the Monument RMP are listed below, some of which overlap one another. Each major issue or theme has a number of different sub-

issues and management concerns which address more specific uses and resources related to the topic.

- Issue 1: How will human activities and uses be managed?
- Issue 2: What facilities and infrastructure are appropriate to provide visitor interpretation and administration of the Monument?
- Issue 3: How will the BLM manage biological, historical, cultural, and visual values of the Monument?
- Issue 4: How will Monument management be integrated with other agency and community plans?
- Issue 5: How will transportation and access be managed?
- Issue 6: How will Monument management affect economic and social conditions in the area?

Issue 1: How will human activities and uses be managed?

The Monument provides a variety of activities and uses. Recreational activities include motorized and non-motorized touring; upland game bird and big and small game hunting; backpacking; horseback riding; sightseeing; pleasure driving; river floating; motorized river boating; and the backcountry use of small fixed-wing aircraft on primitive landing strips. A subgroup of the Central Montana RAC addressed visitor use recommendations for the river portion of the Monument. The designation of the Bear Paw Battlefield National Park in 2005, may result in increased use along the Nez Perce National Historic Trail. A new BLM interpretive center in Fort Benton, which is under construction and scheduled to open in 2006, will focus on Monument values and uses both on the Missouri River and in the uplands.

Commercial guides and outfitters, operating under special recreation permits from the BLM, provide services related to some recreational activities such as hunting and river floating. Increased visitation has led to increased demands for visitor services, requests for outfitter permits, requests for aerial tours of the Monument, and a higher demand for emergency services such as search and rescue.

A number of non-recreational uses also occur in the Monument, including rights-of-way for roads, utility lines and communication sites, livestock grazing, etc. All of these activities have an effect on the area environment and on local communities surrounding the Monument. Careful management of these activities is crucial to protecting the Monument resources.

In some instances, such as oil and gas leasing within the Monument, valid existing rights are in effect and must be recognized in the RMP. In March 2000, the Montana Wilderness Association filed suit challenging BLM's issuance of three of these leases, alleging the BLM did not fully comply with NEPA, the Endangered Species Act, and the National Historic Preservation Act. In March 2004, the Montana Federal District Court ruled in favor of the plaintiffs and ordered the BLM to prepare an EIS for the oil and gas leasing program that covers the three leases. The leases involved in the suit, as well as nine others in the Monument, were based on the BLM's 1988 West HiLine RMP. In light of the court's ruling, the BLM believes all 12 leases in the Monument and based on the West HiLine RMP should be analyzed in this Monument RMP. This RMP will consider the current stipulations that apply to the 12 leases issued under the West HiLine RMP, and the conditions of approval or mitigating measures that should be applied to surface occupancy and surface-disturbing activities associated with all 43 oil and gas leases in the Monument, which cover about 42,000 acres.

Overall Management

The Monument will be managed to protect the resources in accordance with the Proclamation, the Federal Land Policy and Management Act, and other applicable provisions of the law. The Proclamation specifically refers to the Monument's archaeological, historical, geological, and biological objects and provides for the proper care and management of the objects to be protected.

How will the Monument be managed to provide conservation principles that will not allow development or uses that defeat the protective purpose of the designation?

How will the Monument be managed to maintain the area as it is today for future generations?

How will the Monument be managed to provide for traditional uses while ensuring the long-term health and viability of the area?

How will the Monument be managed to preserve the wild and undeveloped character?

How will development in the Monument be managed to maintain the primitive qualities of the area?

How will the Monument be managed to protect the natural values and wild character while allowing controlled use?

What will be the impacts on the objects for which the Monument was created given allocations proposed in any potential alternative?

Private and Commercial Recreation Use

Recreational activities occur throughout the area and include motorized and non-motorized touring, big and small game hunting, backpacking, horseback riding, sightseeing, pleasure driving, and river floating.

Commercial guides and outfitters provide services for some recreational activities, such as hunting and river floating. Increased visitation has led to increased demands for visitor services and requests for outfitter permits.

What range of recreational opportunities (vehicle touring, mountain biking, backpacking, car camping, horseback riding, boating/floating, etc.) should be provided to meet the wide variety of public demands (healthy physical pursuits, needs for solitude, etc.) while protecting and preserving the natural, historic, and primitive values of the Monument?

What BLM actions are needed to provide these opportunities in ways that ensure the experiences and benefits visitors desire while protecting the natural resources in the Monument?

How will the management plan determine the location, distribution, signing, advertising, and use of dispersed camping areas along the river and in the uplands?

Are motorized watercraft impacting the physical conditions on the river and the solitude floaters come to enjoy, and to what extent should motorized watercraft be allowed?

How will the existing guide and outfitter use, both on the river and in the uplands, be managed in the future to ensure compliance with Monument objectives and improve public service in the Monument while ensuring equitable access to recreation opportunities for all users?

Should opportunities be provided for one-day trips in the White Cliffs section of the river?

What methods and criteria will be used to determine the appropriate levels of use or carrying capacity limits for all types of private and commercial recreation use in the Monument? Is an allocation or permit system needed on the river to protect

resources and limit social and physical impacts? If so, how will a permit system be developed that is equitable to all users? Is a designated campsite requirement needed to manage physical and social visitor use impacts? Is a group size limitation needed on the river, and if so, what is the appropriate size?

What criteria will be used to determine if new commercial uses, such as vending permits, should be allowed, where they should be allowed, and to what extent?

If recreation uses need to be more restrictively managed, what types of regulations would be implemented, when, and where, and how would they be administered and enforced?

How will conflicts between recreation visitors and other traditional users (grazing permittees, hunters, surrounding private land owners, etc.) be handled in order to eliminate or reduce these conflicts?

To what extent should recreation user fees be implemented within the Monument?

Off-Highway Vehicle Management

Off-highway vehicle use in the Monument has increased over the last few years and is becoming a focus of concern for BLM managers, interest groups, and the general public. The Proclamation states, “For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes.”

What criteria will be used to determine roads and trails that are open for OHV use or roads and trails that need to be closed and reclaimed?

What routes are available for motorized and mechanical vehicle use, if any? What routes are available for only motorized or mechanized use? For example, are there routes that should remain open for mountain bike use only?

What are the needs and opportunities for special transportation and access development, such as backcountry byways, disabled access routes, horse trails, overlooks, etc.?

Livestock Grazing Management

Many existing laws and regulations govern grazing on public land. In 1997, the Secretary of the Interior approved new Standards for Rangeland Health and Guidelines for Livestock Grazing Management, which apply to all BLM lands in Montana. The Proclamation states, “Laws, regulations, and policies followed by the

Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the Monument.” Grazing uses in the Monument must be managed in compliance with these laws, regulations, and standards.

How will livestock grazing be managed and improvements maintained or constructed throughout the Monument in order to be sensitive to the needs of the livestock/agriculture industry, result in as little impact as possible to the Monument’s resources, and be in compliance with grazing regulations and standards?

Considerations in looking at livestock grazing management include the potential alteration of natural vegetation communities, recreation/grazing conflicts, riparian area management, range improvements/ treatments/maintenance, and socio-economic impacts on permittees.

Oil and Gas and Valid Existing Rights

Subject to valid existing rights, the Monument lands under the Proclamation are “appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the Monument.” The 42,805 acres of federal minerals in the Monument in southern Blaine County and northern Fergus County that were leased for oil and gas exploration and development prior to the Proclamation shall remain open to such activities. The oil and gas development is to be managed “. . . subject to valid existing rights, so as not to create any new impacts that interfere with the proper care and management of the objects protected by this proclamation.”

How will the subject of valid existing rights be addressed in the plan? What is the energy resource within the Monument?

What level of development is necessary to promote conservation of oil and gas resources, comply with the requirements of the Proclamation, honor valid existing rights, and protect against drainage?

What conditions of approval are necessary on oil and gas exploration and development to protect the Monument’s resources (e.g., wildlife, wildlife habitat, water quality, air quality, and soils) while not at a level with so many restrictions that lease operations are basically uneconomical?

Will a different approach be taken for managing oil and gas activity within the Monument versus how oil and gas activity is managed outside the Monument?

What indicators or units of measure will the BLM use to determine if oil and gas operations interfere with the proper care and management of the Monument?

Fuel Wood and Vegetative Use Permits

The State Director's Interim Guidance for managing the Monument states it is not the BLM's intent to conduct forest sales within the Monument. However, areas for forest products could be identified at the BLM's discretion, as long as the resources for which the Monument was established are not adversely impacted. Also, before these products are lost to prescribed fire or mechanically cleared for fuel reduction, the BLM may consider a forest product sale. The harvesting of all woodland products would be fully analyzed in the plan for compliance with Monument management goals and objectives.

What criteria will be used to determine if the harvesting of vegetative products, such as Christmas trees/boughs, posts/poles, saw logs, native plant seed, medicinal plants, berries, etc. is compatible with Monument management objectives?

If determined compatible with Monument management objectives, where and at what level of use would the harvesting of woodland products be allowed?

Utility Corridors, Rights-of-Way, and Withdrawals

Seven right-of-way corridors in the Upper Missouri National Wild and Scenic River were identified in the West HiLine RMP. New applications for rights-of-way would be processed pursuant to existing policies and practices, valid existing rights, and as necessary for access to private or state lands.

What areas within the Monument should be identified as suitable for right-of-way routes for major utilities and roads?

How will increased demands for energy and communication rights-of-way be accommodated within the Monument?

What mitigation measures, or terms and conditions, would be appropriate for lands that are suitable for right-of-way routes?

Land Tenure Adjustments

As stated in the Proclamation, no BLM land in the Monument will be disposed of other than by exchange with willing private landowners, which would be done only when necessary to further the protective purposes of the Monument, to block up BLM land within the Monument, and to enhance the values for which the Monument was designated.

What criteria should be applied when considering acquisition of non-federal lands to be added to the Monument?

Relationship with In-Holdings

The Proclamation designating the Monument applies only to BLM land. Approximately 82,000 acres of private land are intermingled with the Monument.

What management actions are necessary to ensure access to private land?

What limitations, if any, are necessary to protect Monument resources from impacts of private land access?

Indian Reservations

The Monument does not border any American Indian Reservation. However, the Monument does border American Indian lands outside the boundary of the Fort Belknap Indian Reservation.

What management actions are necessary to provide for consistent management activities that recognize values and uses on adjoining American Indian lands?

Issue 2: What facilities and infrastructure are appropriate to provide visitor interpretation and administration of the Monument?

The planning area is characterized as a predominantly natural environment with few facilities, other than along the UMNWSR, for the comfort and convenience of visitors. Currently, the BLM has a visitor contact station and an office located in Fort Benton, and a variety of recreation sites along the UMNWSR. Additional facilities may be needed for visitor safety and information, disabled access, and to address human sanitation, vehicle use and other resource uses and impacts.

What level of visitor services is compatible with the Monument resources and purpose?

To what extent, degree, and where are additional visitor facilities needed such as trails, restrooms, interpretive areas, campgrounds, public drinking water, waste disposal, and parking areas? Should existing facilities be removed or modified for compatibility with Monument goals?

What level of development, choice of standards, consistency, and kind of maintenance would be required for existing or proposed visitor facilities, including signing?

Issue 3: How will BLM manage biological, historical, cultural, and visual values of the Monument?

Various ways of protecting resources include enforcing existing laws and regulations, educating visitors, managing access, setting management and research priorities, suppressing wildfires and managing fuels, restoring degraded ecological conditions, or some combination of these approaches.

Some of the Monument's major resources for which management decisions must be made by the BLM include cultural, recreation, riparian communities, vegetation and water resources, as well as biodiversity and wildlife habitat.

Cultural and Historical Values

The Monument contains a complex landscape and remarkable cultural and historical values ranging from old homesteads and steamboat graffiti, to buffalo jumps and teepee rings.

How can the traditional ranching history of the area be integrated into management of the Monument?

Where and how will interpretation be used as an education tool to increase the public awareness and appreciation of the Monument's cultural and historical resources while not diminishing the integrity and experience of visiting the location, or the setting being compromised by developed recreation, noise, and excess visitation?

What criteria will be used to determine if stabilization/preservation of features/structures is appropriate (cost vs. benefit or value or feature)?

What, if any, are the future research needs for the Monument?

What areas need additional inventory and evaluation for cultural and historical resources?

What role will partnerships play in site stewardship, stabilization, and interpretation of the cultural and historical features within the Monument?

Wildlife and Fisheries Habitat

Monument lands provide habitat for a variety of wildlife species. Increased use throughout the Monument, including recreation use and motorized vehicle use, requires careful planning to integrate habitat management with other resource programs in order to minimize impacts to wildlife species and their habitats.

What level of animal damage control will be permitted, in what manner, and where?

How will beaver be managed to maintain riparian areas?

How will human activities that result in wildlife displacement be managed?

What information will be needed (e.g., crucial habitat, corridors, indicator species) to adequately assess wildlife habitat and develop management actions to improve or restore habitat conditions?

How will biodiversity in wildlife communities be maintained or restored?

How will prairie dog towns be managed in the Monument?

How will sage grouse habitat be managed in the Monument?

How will the management plan address threatened or endangered species, including recovery areas in the Monument? How will human activities or uses be managed to provide for the recovery of threatened or endangered species and species of special concern?

Vegetation

Vegetation provides food and cover for wildlife and domestic animals and scenic enjoyment for people. It is a key ingredient in determining the health of public land because it influences the quantity of water produced from area watersheds and affects overland flows and soil movement, which lead to erosion and loss of habitat. Non-native plants and noxious weeds displace native species, affect the structure of plant associations and their ecological function, and threaten biodiversity.

What are the desired conditions of the vegetation types in the Monument?

How will biodiversity in vegetation and associated communities be maintained or restored?

How will the BLM landscape health standards be achieved and to what extent will land use activities be modified to meet these standards?

How will the management plan address the erosion of sites and how will this be considered in any project development?

How should noxious and invasive plants be managed in the Monument? Which non-native plants are invasive or noxious? What can be done to manage noxious weeds and restore native plants? What prevention activities can be developed and implemented in the Monument to control the influx of undesirable plants and noxious weeds?

Riparian and Water Resources

Riparian areas attract and concentrate populations of area mammals, birds, reptiles, and amphibians; provide habitat for diverse vegetation communities not found elsewhere in the area; and help protect water quality by filtering sediments and protecting banks from erosion. Riparian areas, however, are affected by intensive recreation use, removal of natural vegetation, beavers, livestock grazing/trampling, and other surface disturbances. All of these influences can cause bank disturbance, destabilization of stream channels, increased erosion and siltation, disruption to riparian-dependent plants and wildlife, and degradation of water quality.

How will Monument riparian communities be protected and cottonwood stands regenerated, and how will this affect land uses?

What measures must be taken to ensure that the highest quality water standards are maintained throughout the Monument?

How is the Monument going to affect my existing water rights?

How will the exercise of private water rights affect Monument purposes?

Fire Management

Fire could be a positive influence in much of this area and help restore natural fire regimes. However, fire occurrence in certain areas of heavy fuel loading (such as timbered coulees) and areas of heavy brush and grass growth could threaten improvements and structures in the Monument area. High-intensity fires can also threaten wildlife values and the desired condition of vegetation and riparian areas.

In order to protect Monument values, does a fire management plan need to be developed specifically for the Monument? What level of fire protection is needed in the Monument?

For what purposes, and how, will fire be used as a management tool in the Monument? For example, will fire be used to help reduce hazardous fuel loads? Where are the hazardous fuels within the Monument? Should fire be allowed to take its natural role in the environment? How will the management plan consider fire risk, hazards, and mitigation?

What is the public perception of suppression philosophy and the impacts, such as smoke, to the Monument and surrounding communities?

What alternative methods for treating hazardous fuels will be permitted within the Monument?

How will wildland and prescribed fire be managed to enhance fire-adapted ecosystems and restore natural fire regimes?

Issue 4: How will Monument management be integrated with other agency and community plans?

The BLM has a strong commitment to work with other agencies and communities in managing the Monument. Coordination with state agencies that have jurisdiction over resources within the Monument is essential for effective management. These agencies include Montana Fish, Wildlife & Parks, and the Montana Department of Natural Resources and Conservation.

Monument objectives call for a significant portion of visitor services related to the Monument to be located in the surrounding communities rather than within the Monument. In order to do this, a good working relationship with local tourism and service providers must be developed and maintained. Agreements with the local counties and communities for coordinating activities and needs such as planning, transportation, emergency services (i.e., search and rescue), law enforcement, infrastructure and tourism need to be explored.

County Land Use Plans

The BLM shall, to the extent practical, keep apprised of local land use plans, and assure that consideration is given to those local land use plans.

What management actions in the Monument conflict with county ordinances, or are needed to make actions consistent?

How will county road designations and increased levels of use be dealt with in the Monument plan?

Emergency Services (Blaine, Chouteau, Fergus and Phillips County Sheriffs)

The Blaine, Chouteau, Fergus and Phillips County Sheriffs' Departments conduct emergency services in the Monument. The BLM assists as requested with available resources. Assistance requests are made through the Field Staff Ranger in the Lewistown Field Office. The following questions will need to be answered in the plan to arrive at a single, coordinated and effective approach to handle these activities.

What criteria will best determine when an emergency situation warrants the impacting of Monument values in order to properly deal with emergencies such as fires, emergency evacuations, law enforcement activities, deceased persons, or aircraft accidents/investigation?

What is the simplest process for considering and approving or rejecting requests for these activities anywhere in the Monument, assuming by their nature that the activities require a quick response from someone in authority?

What will be required, if anything, to establish or maintain cooperative relations with the County Sheriffs' Departments relative to these activities?

Are restrictions needed to protect Monument values? How will the additional risk of human-caused fires brought on by increased visitor use be managed?

Tourism Management

Monument objectives call for a significant portion of visitor services related to the Monument to be located in the surrounding communities rather than within the Monument.

How can the BLM best work with the tourism industry, local businesses, etc., to ensure that visitors to the Monument are provided with the right information about the Monument and the activities it offers?

How will tourism be managed to prevent degradation of the resources for which the Monument was designated?

What tools/sources such as interpretation and advertising need to be utilized on local, regional, and national levels for information and education about the Monument?

What messages about the Monument need to be conveyed?

How will the BLM incorporate visitor and local preferences into Monument management?

U.S. Fish and Wildlife Service Consultation

The Endangered Species Act, Section 7 Programmatic Consultation and Coordination will be conducted as necessary during plan development.

Early interagency communication, coordination, consultation and conferencing on candidate, proposed, and listed species will take place prior to and during plan development.

Issue 5: How will transportation and access be managed?

A network of local, collector and resource roads currently provides access to many areas of the Monument. County roads are routinely graded and maintained by Blaine, Chouteau, Fergus and Phillips Counties, while BLM-managed routes receive various levels of maintenance based on a BLM maintenance schedule.

What roads and trails should the BLM provide for access to or across public land in the planning area? How will the need for state and private land access be addressed in the plan? How will access be managed where select persons have access to public resources and the general public does not; and how will specific means of access be accommodated?

Are the current roads adequate or do they need to be modified to increase protection for Monument resources, reduce user conflicts, and/or provide better travel opportunities for Monument users? How should management of roads accommodate the elderly and disabled? How should the need for new road construction and maintenance be addressed in the plan?

How many and what type of motorized travel routes are needed on public land in the Monument, and what type of vehicle restrictions, if any? Is it necessary to distinguish between upland use and river access needs?

What roads and trail easements should be acquired to provide reasonable public and administrative access to the Monument lands?

What roads and trails in the Monument should be closed and/or rehabilitated to protect resources, or eliminate or reduce use conflicts?

How should aircraft be managed in the Monument? Is there a need for designated landing strips or areas, and what level of standard and maintenance should be attached to airstrips? How will BLM interact with airspace managers to provide for or influence direction of air traffic compatible with Monument goals?

Issue 6: How will Monument management affect economic and social conditions in the area?

The Monument can provide tourism, hunting, and other forms of recreation while bolstering the economy of Montana. Monument management must recognize the continuation of existing land ownership and the economic activities that are dependent on the land and its natural resources.

What is the effect on the overall economy and local culture if a shift is made from production of

products from the public land to other emphasis areas?

How will the management plan consider decisions affecting agriculture that have a far-reaching impact?

Recreational developments, including visitor services and interpretive facilities, should be placed in gateway communities.

An economic analysis should be prepared of any extractive development and ground-disturbing activities.

An economic analysis should be prepared of any extractive development and ground-disturbing activities and should disclose to what degree the activities are below cost.

Preservation of the ranching culture is important.